

HONORABLE FRED VAN SICKLE

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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

DOUGLAS LUTHER MYSER,

Plaintiff,

V.

SPOKANE COUNTY, et al.,

Defendants.

No. CV-06-0024-FVS

PROTECTIVE ORDER

* * * * *

ORDER

PURSUANT TO THE STIPULATED MOTION FOR PROTECTIVE ORDER, IT IS HEREBY ORDERED that the following Protective Order is entered:

PROTECTIVE ORDER
Page 1 of 4

1
2 1. The term "discovery materials" shall mean documents produced under
3 requests for production, responses to interrogatories, and deposition testimony.
4

5 2. Any discovery materials produced by Spokane County pertaining to
6 defendants Shover, Gregory, Peterson and Bunch shall be deemed "confidential"
7 and treated in that manner under the provisions of this Protective Order.

8 3. Any medical, psychological, business and/or income records produced
9 by Douglas Myser and/or Federal Tax Resolution shall be deemed "confidential"
10 and treated in that manner under the provisions of this Protective Order.
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12 4. Absent court order, any documents deemed "confidential" under this
13 Protective Order shall be held confidential by the parties and their attorneys, and
14 shall not be disclosed to any other person nor made use of for any other purpose
15 except as necessary in the prosecution or defense of this lawsuit, or in any related
16 administrative proceeding, mediation or arbitration involving the parties.
17 Confidential information under this Protective Order may be disclosed to such
18 other persons only after they have been shown this Protective Order and they have
19 agreed to be bound by its terms.
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21 5. Persons assisting counsel in preparation of this litigation, including
22 consulting and trial experts, may be provided access to the information, but only
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1 upon showing them this Protective Order and advising them that they are bound by
2 its terms.

3 6. Any copies or reproductions of discovery materials deemed confidential
4 for use in connection with this litigation, absent an order negating such
5 designation, shall be used only for that purpose, and upon conclusion of the
6 litigation, all such copies or reproductions shall either be destroyed or returned to
7 the party providing the information upon that party's request.
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9 7. Except as provided in this Protective Order, discovery materials deemed
10 confidential and information disclosed in the materials shall be held strictly in
11 confidence, and shall not be disclosed to anyone else, by the parties or by their
12 attorneys.
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14 8. Information deemed confidential may be used in depositions without the
15 necessity of sealing the documents first and may be shown to persons at the
16 deposition, provided there is a need to do so.
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18 9. The parties further agree that in the event that any of the materials
19 described in this Protective Order are filed with the court as an exhibit to a
20 pleading, the parties shall request that the court seal the exhibit.

21 10. If this litigation proceeds to trial, the degree to which discovery materials
22 produced pursuant to this Protective Order remain "confidential" and the manner in
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1 which the materials will be used at trial will be determined by the agreement of the
2 parties or order of the court. However, nothing contained in this Protective Order
3 affects in any way or to any degree the admissibility of any discovery material or
4 any information disclosed under the terms of this Protective Order. The
5 admissibility of such material and information shall be governed by the Rules of
6 Evidence and Procedure in the same manner as any other potential evidence in the
7 case.
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9 11. Nothing in this Order shall infringe upon the right of any party to object
10 to providing information which is subject to the attorney-client privilege, or which
11 is non-discoverable on any other legitimate ground.
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13 DONE this 21st day of August, 2007.

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15 s/ Fred Van Sickle
HONORABLE FRED VAN SICKLE
16 **UNITED STATES DISTRICT JUDGE**
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